

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

INTERNATIONAL UNION, SECURITY  
POLICE & FIRE PROFESSIONALS (SPFPA),

Plaintiff,

v.

Civil Action No. 14-cv-11484  
Honorable Nancy G. Edmunds  
Magistrate Judge David R. Grand

STEVEN ANGELO MARITAS, RESPECT  
FOR SECURITY OFFICERS, AND SPECIAL  
POLICE AND SECURITY OFFICERS OF  
AMERICA (SPSOA),

Defendants.

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**REPORT AND RECOMMENDATION TO DENY, WITHOUT PREJUDICE,  
DEFENDANTS' MOTION FOR INJUNCTIVE RELIEF [23, 26] AND  
MOTION FOR SUMMARY JUDGMENT [31] AS MOOT**

This case has a complicated procedural history that need not be laid out here. In short, on September 15, 2014, and October 23, 2014, this Court held telephonic status conferences with the parties during which Defendant Steven Maritas agreed to withdraw certain pending motions in the instant case, and that he would file a new responsive pleading and a new motion for summary judgment that would encompass all of his arguments. [35, 36]. As a result, on October 23, 2014, this Court entered a Report and Recommendation to deny, without prejudice numerous of his dispositive motions. [36].

On October 29, 2014, Plaintiff filed a "Motion for Discovery and Deferred Consideration of Defendant's Motion for Summary Judgment" [37], essentially asking for time to conduct discovery before being required to respond to Maritas' then-pending summary judgment motion [31]. The Court is entering a separate order today granting that motion, and giving Plaintiff until

May 15, 2015, to respond to Maritas' summary judgment motion. [44]. On November 3, 2014, Maritas filed a motion to amend his summary judgment motion [38], and the next day he filed his proposed amended summary judgment motion. [41].<sup>1</sup>

Also on November 4, 2014, Maritas filed a "New Response Pleading" [40] acknowledging that he wishes to withdraw all of his pending motions in this case save for his amended summary judgment.<sup>2</sup> Accordingly, **IT IS RECOMMENDED** that Maritas' motion for injunctive relief [23, 26] and prior motion for summary judgment [31] be **DENIED WITHOUT PREJUDICE AS MOOT**.

Dated: November 12, 2014  
Ann Arbor, Michigan

s/David R. Grand  
DAVID R. GRAND  
United States Magistrate Judge

#### **NOTICE TO THE PARTIES REGARDING OBJECTIONS**

The parties to this action may object to and seek review of this Report and Recommendation, but are required to act within fourteen (14) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of HHS*, 932 F.2d 505, 508 (6th Cir.1991); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir.1981). The filing of objections which raise some issues, but fail to raise others with specificity, will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Secretary of HHS*, 931 F.2d 390, 401 (6th Cir.1991); *Smith v.*

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<sup>1</sup> Because the Court is giving the Plaintiff until May 15, 2014 to conduct discovery and respond to Maritas' summary judgment motion, the Court, by separate order of today's date [43] is granting Maritas' motion for leave to amend his summary judgment motion. To be clear, Maritas' operative summary judgment motion will be the one he filed on November 4, 2014. [41].

<sup>2</sup> Maritas also emphasized that he did not wish to withdraw another motion [98], that he filed in a separate case between the parties (No. 13-11734), which is currently on appeal in the Sixth Circuit. Thus, this Report and Recommendation does not address that case or motion.

*Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir.1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this magistrate judge. A party may respond to another party's objections within 14 days after being served with a copy. *See* Fed. R. Civ. P. 72(b)(2); 28 U.S.C. §636(b)(1). Any such response should be concise, and should address specifically, and in the same order raised, each issue presented in the objections.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record via email addresses the court has on file and on non-e-filers at their address on file with the Court.

s/Eddrey O. Butts  
EDDREY O. BUTTS  
Case Manager

Dated: November 12, 2014